

REMARKS

The present application contains claims 1-317, the status of which is as follows:

- (a) Claims 1-276, 278, 287, and 302-315 were previously canceled without prejudice.
- (b) Claims 277 and 279 have been currently amended.
- (c) Claims 280-286, 288-301, and 316 were previously presented.
- (d) Claim 317 is new.

No new matter has been added. Reconsideration is respectfully requested.

Applicant thanks Examiner Natnithithadha for the courtesy of a personal interview with Applicant's representative, Sanford T. Colb (Reg. No. 26,856), held in the USPTO on November 28, 2007. At the interview, Mr. Colb argued the patentability of independent claim 277 as previously presented (without the feature that the hollow tube is crimped to the lead wire) over US Patent 2,816,997 to Conrad and US Patent 5,037,488 to Wienand. The Examiner agreed with Mr. Colb that Conrad does not teach an "electrically conductive tube" as claimed. Mr. Colb proposed amending claim 277 to recite that the hollow tube is "entirely electrically-conductive." The Examiner agreed that this amendment would overcome the rejection over Weinand.

Rejections under 35 U.S.C. 103(a)

Claims 277, 287, 288, 291-301, and 316 were rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 2,816,997 to Conrad in view of US Patent 5,984,711 to Woodard. Claims 277, 291-301, and 316 were rejected under 35 U.S.C. 102(b) as being anticipated by US Patent 5,037,488 to Wienand. Claims 280-285, 289, and 290 were rejected under 35 U.S.C. 103(a) as being unpatentable over Conrad in view of Woodard, and further in view of US Patent 5,851,226 to Skubitz et al. Claim 286 was rejected under 35 U.S.C. 103(a) as being unpatentable over Conrad in view of Woodard, and further in view of US Patent 6,129,658 to Delfino.

Background

In the previous office action dated April 23, 2007, claim 277 (which had not yet been amended to recite crimping) was rejected under 35 U.S.C. 102(b) over US Patent 2,816,997 to Conrad, and, separately, over US Patent 5,037,488 to Wienand. Dependent claims 278 and 279, which recited crimping, were found to recite allowable subject matter. While disagreeing with these rejections, the Applicant chose not to argue on the merits, but rather to expedite the issuance of a patent by amending independent claim 277 to include the features of allowable dependent claim 278, namely that the hollow tube is crimped to the lead wire.

As mentioned above, in the present office action dated August 7, 2007, claim 277 (which includes the features of previously allowable canceled claim 278) has been rejected. The Applicant thus has decided to remove the features of claim 278 from claim 277 (i.e., remove the crimping), re-present canceled claim 278 as new claim 317, and traverse the rejection of claim 277 as previously presented and rejected over Conrad and Wienand.

Rejections under 35 U.S.C. 102(b) in the previous office action

In the previous office action dated April 23, 2007, claims 277, 287, 288, 291-301, and 316 were rejected under 35 U.S.C. 102(b) as being anticipated by US Patent 2,816,997 to Conrad. Claims 277, 291-301, and 316 were rejected under 35 U.S.C. 102(b) as being anticipated by US Patent 5,037,488 to Wienand.

Conrad

The Examiner argued that Conrad teaches a hollow tube 80 soldered directly to circuitry 8. The Applicant respectfully submits that Conrad fails to teach two critical elements of claim 277:

- In Conrad, hollow tube 80 is not directly soldered to circuitry 8. As can be seen in Fig. 4 of Conrad, hollow tube 80 is soldered to "shorter lead 68," which in turn is coupled to circuitry 8; and
- In Conrad, hollow tube 80 is not electrically conductive. Conrad states in the passage copied above, "the soldering being effected as at 78 within a

glass or other insulating tube indicated at 80 which provides insulation and also forms a soldering jig as previously described" (emphasis added).

In sum, the hollow tube of claim 277 serves two important functions, mechanically coupling directly to the circuitry, and electrically coupling the lead wire to the circuitry. Conrad's hollow tube 80 serves neither of these functions.

The Applicant thus submits that claim 277, and the remainder of the pending claims, all of which depend therefrom, are not anticipated by Conrad. As mentioned above, during the interview with Mr. Colb, the Examiner agreed that claim 277 is patentable over Conrad.

Wienand

The Examiner argued that Wienand teaches an electrically-conductive hollow tube 1 soldered directly to the circuitry 8, and coupled to the lead wire 12/13. The Applicant respectfully submits that Wienand fails to teach two critical elements of claim 277 as amended:

- In Wienand, hollow tube 1 is not directly soldered to thermo-sensor 11 (referred to in the office action as "circuitry 8"). As can be seen in Fig. 2 of Wienand, hollow tube 1 is coupled to thermo-sensor 11 via leads 9 and 10.
- In Wienand, hollow tube 1 is not entirely electrically conductive: "the carrier is preferably a flexible circuit board 1 made of a temperature-tolerant plastic" (col. 2, lines 54-56).

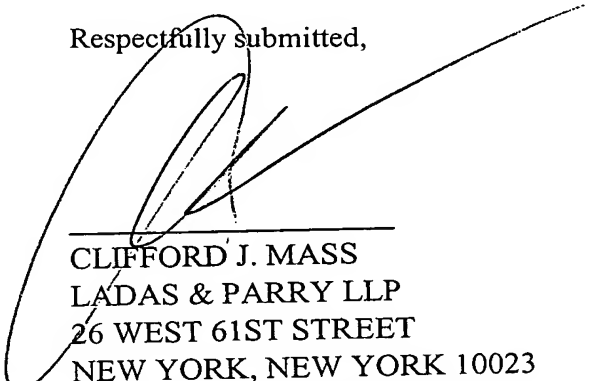
In sum, as mentioned above regarding Conrad, the hollow tube of claim 277 serves two important functions, mechanically coupling directly to the circuitry, and electrically coupling the lead wire to the circuitry. Wienand's hollow tube 1 serves neither of these functions.

Although the Applicant believes that claim 277 is patentable as previously presented (without the amendment made hereby, and without the crimping), at least because of the reason given in the first bullet immediately above, in order to expedite the issuance of a patent, the Applicant has currently amended claim 277 to recite that the hollow tube is "entirely electrically-conductive." As mentioned above, during the

interview with Mr. Colb, the Examiner agreed that claim 277, if thus amended, would be patentable over Wienand. The Applicant thus submits that claim 277, and the remainder of the pending claims, all of which depend therefrom, are not anticipated by Wienand, and are thus in a condition for allowance.

The Applicant believes the amendments and remarks presented hereinabove to be fully responsive to all of the grounds of rejection raised by the Examiner. In view of these amendments and remarks, the Applicant respectfully submits that all of the claims in the present application are now in order for allowance. Notice to this effect is respectfully requested.

Respectfully submitted,



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